

DRAFT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII
726 MINNESOTA AVENUE
KANSAS CITY, KANSAS 66101

IN THE MATTER OF:)	
)	
Knapheide Manufacturing Co.)	Docket Nos. VII-92-H-0008
West Quincy, Missouri;)	and VII-93-T-499-E
)	
)	First Modification to
Respondent.)	Consolidated
)	Consent Agreement and
)	Consent Order
)	
Proceedings under Section)	
3008 of the Resource)	
Conservation and Recovery Act)	
of 1976, as amended, 42 U.S.C.)	
§§ 6901 et seq. and)	
Section 325 of the Emergency)	
Planning and Community)	
Right-to-Know Act of 1986, as)	
amended, 42 U.S.C. §§ 11001 et seq.))	


R00079976
RCRA Records Center

FIRST MODIFICATION

TO CONSOLIDATED CONSENT AGREEMENT AND CONSENT ORDER

This modification is made to the Consolidated Consent Agreement and Consent Order ("Consent Order") filed in this matter on March 4, 1993.

WHEREAS, the United States Environmental Protection Agency ("EPA"), Region VII, and the Respondent, The Knapheide Mfg. Co. ("Knapheide"), on March 4, 1993 entered into a Consolidated Consent Agreement and Consent Order contemplating the performance of certain supplemental environmental projects at the Respondent's facility located at West Quincy, Missouri;

WHEREAS, catastrophic flooding occurring during 1993 resulted in the Respondent ceasing operations at the West Quincy, Missouri facility and moving those operations to a temporary

location, with plans to permanently locate those operations at [address], Quincy, Illinois;

WHEREAS, in order to allow the Respondent to perform environmentally beneficial supplemental projects under the Consent Order;

NOW, THEREFORE, EPA and the Respondent mutually agree to the following modifications to the Consent Order:

1. Section C, "SUPPLEMENTAL ENVIRONMENTAL PROJECTS" of the Consent Order is hereby modified to add the facility at [address], Quincy, Illinois, as a facility where the Respondent shall conduct an environmental audit and submit plans, reports and proposals for supplemental environmental projects as provided in that Section. *It is understood that most of the SEPs will be installed at the new facility, not the Quincy facility*
2. Respondent shall provide access to EPA to the Quincy, Illinois facility as provided under Paragraph 36 of the Consent Order.
3. ~~The Environmental Audit Plan for the Quincy, Illinois facility~~ *attached MO* shall be submitted to EPA within 60 calendar days of the effective date of this modification. *The modified W.Q. MO due soon*
4. The offset ratio for the Plan, environmental audit, and Report for the Quincy, Illinois facility shall be the same as provided for the West Quincy, Missouri facility.
5. Unless otherwise directed, Respondent shall continue to provide all notices, submittals, coordination and reporting to EPA under the Consent Order to the Region VII contact identified in the Consent Order. All notices, submittals, coordination and reporting provided to the Missouri Department of Natural Resources under the Consent Order with respect to the West

Quincy, Missouri facility, shall likewise be provided to the Illinois Environmental Protection Agency with respect to the Quincy, Illinois facility. The address for such submittals is:

[name and address]

6. Pursuant to Paragraph 30 of the Consent Order this modification is effective when signed and executed by both parties, and shall be incorporated into and become part of that Consent Order.

For the Respondent:

Date

Knapheide Manufacturing Co.

For the Complainant:

Date

David A. Wagoner
Director, Waste Management Division

Date

Robert W. Richards
Office of Regional Counsel

Date

Becky Ingrum Dolph
Office of Regional Counsel

It is so ordered.

Robert J. Patrick
Regional Judicial Officer

Date